

REMARKS

Claims 1-35 are currently pending in the application. Claim 25 has been canceled without prejudice or disclaimer. Claims 24, 26-29, 31, 34 have been amended and claim 35 has been added. Applicants submit that no new matter has been added by way of this Amendment.

Applicants thank the Examiner for the indication that claims 1-23 are in condition for allowance and that claims 25-33 have been objected to but deemed to contain allowable subject matter.

Applicants respectfully request reconsideration of the above-identified application, in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 24 and 34 have been rejected under 35 U.S.C. § 102(b), as being anticipated by Tatian (US Patent No. 4,958,931). Applicants submit that amended claims 24 and 34, as well as new claim 35 are patentably distinct from the cited reference.

Applicants have amended independent claims 24 and 34 to incorporate subject matter from dependent claim 25, which has been deemed to contain allowable subject matter. Accordingly, Applicants submit that independent claims 24 and 34 are in condition for allowance. Therefore, Applicants request withdrawal of this ground of rejections.

New independent claim 35 recites:

An interferometer for measuring a surface shape of a target optical element using interference, said interferometer comprising:

- a beam splitter for dividing light from a light source;
- a reference mirror for reflecting one divided light;
- a wave-front changing unit for changing a wave-front of another divided light into plural shapes, wherein the other

divided light that has passed the wave-front unit is directed to a surface of the target optical element; and
a light receiving element for receiving, as an interference signal, the one divided light reflected by the reference mirror and the other divided light from the target optical element.

Applicants submit that the cited reference does not teach, disclose or suggest the claimed relationship between the wave-front changing unit and the target optical element. More specifically, the cited references do not teach a wave-front changing unit for changing a wave-front that is located between the beam splitter and the target optical element, as specified in claim 35. Accordingly, Applicants submit claims 24, 34, and 35 are patentably distinct from the cited reference.

CONCLUSION

Applicants believe that all of the pending claims are in condition for allowance and such action is respectfully requested.

AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4835). **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN LLP

Dated: April 4, 2005

By: Daniel C. Sheridan
Daniel C. Sheridan
Registration No. 53,585

CORRESPONDENCE ADDRESS:
MORGAN & FINNEGAN L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700
(212) 415-8701 (Facsimile)